

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

In re: )  
)  
Mark Alan Patterson and )  
Melinda J. Patterson ) Case No. 11-41155  
)  
Debtors ) Chapter 13  
)

**OBJECTION TO CONFIRMATION OF THE CHAPTER 13 PLAN**

COMES NOW Residential Credit Solutions, Inc. ("Residential"), by its undersigned attorneys, and for its Objection to Confirmation of Chapter 13 Plan states:

1. This Court has jurisdiction over this matter pursuant to 28 U.S.C. Sections 1334 and 157.
2. Residential is a corporation authorized to do business in the State of Missouri.
3. Debtors filed a Petition in Bankruptcy under Chapter 13 of the United States Bankruptcy Code.
4. At the time of filing the Petition in Bankruptcy, Debtors were the record owners of certain real property known and numbered as 18746 Bonhomme Creek Rd., Chesterfield, MO 63005 (the "Real Property").
5. Residential holds and/or services a promissory note dated April 9, 2007 in the original principal amount of \$984,000.00 (the "Note"). (See the Note). The Note is secured by a first in priority and perfected Deed of Trust (the "Deed of Trust") encumbering the Real Property. (See Deed of Trust).
6. The Real Property is an asset of this estate and Residential holds and/or services a valid secured claim of \$1,092,996.33 of which \$61,094.43 is pre-petition arrears.

7. Residential objects to the Chapter 13 Plan as it does not properly treat Residential's claim as:

- Residential has an arrearage balance of \$61,094.43, which is listed incorrectly in the Chapter 13 Plan as \$26,000.00.
- The Chapter 13 Plan is not feasible because there is not enough money being paid into the first 48 months of the Chapter 13 Plan to pay the arrearage in full (and also pay other priority claims and attorney's fees listed in the Chapter 13 Plan).
- The Chapter 13 Plan does not indicate if the Debtors will be paying the arrearage on debt secured by the lien on the Debtors' principal residence in full in 60 equal payments.

WHEREFORE, Residential prays this Court deny confirmation of the proposed Chapter 13 Plan and for such other and further relief as is just and proper.

SANDBERG PHOENIX & von GONTARD P.C.

By: /s/ Scott Greenberg  
Scott Greenberg, MO Bar: 33575, Fed Bar: 33575MO  
600 Washington Avenue - 15th Floor  
St. Louis, MO 63101-1313  
(314) 231-3332  
(314) 241-7604 Fax  
sgreenberg@sandbergphoenix.com

Attorneys for Residential Credit Solutions, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was served either through the Court's ECF system or by regular mail, this 14th day of March 2010 to:

Douglas M. Heagler, Esq.  
6302 N. Rosebury, Ste 1W  
Clayton, MO 63105  
Attorney for Debtors

John V. LaBarge, Jr.  
P.O. Box 430908  
St. Louis, MO 63143  
Chapter 13 Trustee

/s/ Jennifer McCulloch

---